



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)  
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Mayor  
WILLIAM CAPOTE

Deputy Mayor  
BRIAN ANDERSON

Councilmembers  
HARRY SANTIAGO, JR.  
JEFF BAILEY  
KENNY JOHNSON

# AGENDA

## REGULAR COUNCIL MEETING 2019-12

### THURSDAY

June 6, 2019 - 7:00 P.M.  
City Hall Council Chambers

#### CALL TO ORDER:

#### INVOCATION:

Reverend Roberson Douge, Revelation Gospel Ministry, Palm Bay

#### PLEDGE OF ALLEGIANCE:

#### ROLL CALL:

#### ANNOUNCEMENTS:

1. Three (3) vacancies on the Community Development Advisory Board (represents 'for-profit provider', 'actively engaged in home building' and 'employer within the City' positions).++
2. Two (2) vacancies on the Business Improvement District (must be located within the District) representing one (1) 'institution of higher education (college or university)' and one (1) 'bank or financial institution'.++

#### AGENDA REVISIONS:

#### CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda (indicated with asterisks(\*)). They will be enacted by the City Council on one motion. If discussion is desired by the City Council, that item will be removed from the Consent Agenda by Council and will be considered in the order that it appears on the agenda.

#### RECOGNITION:

1. State Representative Randy Fine, District 53 – recognizing Thomas Rebman for his efforts in addressing homelessness.

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE AND  
TELEVIEWED ON THE SPACE COAST GOVERNMENT TV CHANNEL.

**PRESENTATIONS:**

1. Georganna Gillette, Executive Director, Space Coast Transportation Planning Organization – transportation planning and local projects update.
2. Moore Stephens Lovelace, P.A. – Comprehensive Annual Financial Report for Fiscal Year ended September 30, 2018:
  - a) Consideration of forwarding report to the Auditor General.

**ADOPTION OF MINUTES:**

- \*1. Regular Council Meeting 2019-11; May 16, 2019.

**PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)**

Public comments will be heard by the City Council on non-agenda issues. Speakers must complete 'Public Comment Cards' (orange) and are limited to 3 minutes each.

**PUBLIC HEARINGS:**

- ♣1. Request by Nortman Palm Bay, LLC for approval of a final plat of a proposed commercial development to be known as Palm Bay Place in CC (Community Commercial District) zoning (17.50 acres)(Case FS-1-2019).
- ♣2. Resolution 2019-14, granting a conditional use to allow a proposed automated car wash in CC (Community Commercial District) zoning (1.73 acres)(Case CU-12-2019, Nortman Palm Bay, LLC).
- ♣3. Ordinance 2019-31, granting approval of a final development plan for a proposed Planned Unit Development (PUD) to be known as 'Gulfport Key PUD' on property located north of and adjacent to Gulfport Road, in the vicinity between Grapefruit Road and Sable Circle (20.46 acres)(Case FD-8-2019, William Benson), first reading.
4. Ordinance 2019-32, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located east of and adjacent to Dixie Highway, in the vicinity between Overlook and Riverview Drives, from Commercial Use to Multiple Family Residential Use (1.10 acres)(Case CP-5-2019, Migdaly Martinez), only one reading required.
- ♣5. Ordinance 2019-33, rezoning property located east of and adjacent to Dixie Highway, in the vicinity between Overlook and Riverview Drives, from HC (Highway Commercial District) to RM-15 (Single-, Two-, Multiple-Family Residential District) (1.10 acres)(Case CPZ-5-2019, Migdaly Martinez), first reading.
- ♣6. Request by the City of Palm Bay for a variance to modify the existing North Regional Water Reclamation Facility by allowing a proposed Nutrient Removal Facility to encroach nine (9) feet into the 20-foot side interior setback, as established by Section 185.045(F)(7)(b), Palm Bay Code of Ordinances (8.90 acres)(Case V-9-2019).

7. Request by Raymond Fischer for a conditional use to allow a proposed event hall, as established by Section 185.088(K), Palm Bay Code of Ordinances (5.00 acres)(Case CU-10-2019) **(RESCHEDULED TO P&Z – 06/05/19)**.
8. Request by Wayne's Aggregate and Materials, LLC for a conditional use to allow the expansion of existing mining operations in GU (General Use Holding District) zoning (244.42 acres)(Case CU-11-2019) **(WITHDRAWN)**.

## **PROCUREMENTS:**

### **Award of Bids:**

- \*1. Culvert pipe replacement (PMU 31) – IFB 36-0-2019 – Public Works Department (Timothy Rose Contracting - \$898,263).
- \*2. Sanitary sewer carrier pipe/manhole replacement – IFB 41-0-2019 – Utilities Department (Danus Utilities, Inc. - \$337,875).

### **Contracts:**

- \*1. Microsoft Enterprise Agreement, Cloud Suite (renewal) – Florida Department of Management Services contract – Communications and Information Technology Department (Software House International, Inc. - \$342,718).

### **Miscellaneous:**

- \*1. Filter rehabilitation/backwash pipe replacement, North Regional Lime Softening Water Treatment Plant – IFB 40-0-2017, Change Order 5 – Utilities Department (L7 Construction, Inc. - \$107,199).

## **UNFINISHED AND OLD BUSINESS:**

1. Appointment of three (3) members to the Community Development Advisory Board.

## **COUNCIL REPORTS:**

### **NEW BUSINESS: (Ordinance is for first reading.)**

1. Resolution 2019-15, establishing the preliminary assessment rate for stormwater service assessments and stormwater service fees for fiscal year beginning October 1, 2019.
2. Resolution 2019-16, approving the issuance by the Capital Trust Agency of its Educational Facilities Revenue Bonds (Odyssey Charter School Projects), Series 2019, in an aggregate principal amount not to exceed \$11,000,000 for the purpose of financing the acquisition and specified improvements.
- \*3. Resolution 2019-17, appointing members to City of Palm Bay Business Improvement District.

- \*4. Ordinance 2019-34, amending the Fiscal Year 2018-2019 budget by appropriating and allocating certain monies (third budget amendment).
- 5. Consideration of staffing changes and initial expenditure of General Fund dollars for geotechnical testing related to the Road Bond Program.
- \*6. Consideration of utilizing Fire Impact Fees for the purchase of Harris Symphony console and equipment for Fire Dispatch at the Communications Center (\$58,824).
- \*7. Acknowledgement of the Bayfront Community Redevelopment Agency 2018 Annual Report.
- \*8. Consideration of travel and training for specified City employees.

#### **ADMINISTRATIVE AND LEGAL REPORTS:**

**PUBLIC COMMENTS/RESPONSES:** Speakers are limited to 3 minutes.

#### **ADJOURNMENT:**

♣ **Quasi-judicial proceeding.**

**Councilmembers who are members of the Space Coast Transportation Planning Organization (TPO) may discuss TPO issues which may subsequently be addressed by the TPO.**

**If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.**

**Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the City Clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the Clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (§ 59.03, Palm Bay Code of Ordinances).**

**In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.**

**Pursuant to Council Policies and Procedures, members of the public wishing to use electronic media when addressing City Council must provide the electronic file to staff for screening no later than 2:00 P.M. on the day of the meeting; audio presentations must be submitted to the City Clerk at least twenty-four (24) hours prior to the meeting.**